

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. The Department has denied her request for direct reimbursement for these expenses, but it has informed her that it will reimburse all the providers directly for these services if they enroll in Vermont Medicaid. The Department represents that this is a relatively simple procedure that is

commonly undertaken by out-of-state providers around the country.

ORDER

The Department's decision is affirmed.

REASONS

The Medicaid regulations expressly limit Medicaid and VHAP payments to those providers who are certified by the Department for participation in the program. W.A.M. §§ M154 and M155.1. The regulations prohibit payments directly to individual recipients. § M152. As noted above, the Department has informed the petitioner that it will cover the services in question if the providers enroll in Vermont Medicaid, and it has advised her to make this request of the providers, which the petitioner has agreed to do.¹

Inasmuch as the Department's decision in this matter is in accord with the applicable regulations, the Board is bound by law to affirm. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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¹ The petitioner maintains that each of the providers took the information from her Vermont VHAP card before the services were rendered.